



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	SB0420	Title:	Mercury standards for power plants
Primary Sponsor:	Lind, Greg	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL ANALYSIS

Assumptions: This bill will require a small rulemaking effort by the Board of Environmental Review to repeal the current incorporation by reference of the federal mercury emission allowance trading program. The rulemaking effort will be absorbed by existing Department of Environmental Quality staff. This bill has no fiscal impact on the state.

Technical Notes:

1. SB 420 prohibits the Board of Environmental Review (BER) from adopting a rule or issuing an order that would implement or allow participation in the federal mercury budget trading program. However, in 2006 the BER adopted rules that provide for participation in that program. SB 420 does not expressly repeal those rules. Section 1-2-109, MCA, provides that a law does not operate retroactively unless it so provides. Therefore, it is not clear whether the existing rules would remain in effect after SB 420 becomes effective. The uncertainty could be removed by repealing the current rules.

Sponsor's Initials

Date

Budget Director's Initials

Date